

LEGISLATIVE BILL 105

Approved by the Governor April 3, 2013

Introduced by Lathrop, 12.

FOR AN ACT relating to the Child Care Licensing Act; to amend section 71-1908, Reissue Revised Statutes of Nebraska; to require liability insurance as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-1908, Reissue Revised Statutes of Nebraska, is amended to read:

71-1908 (1) Sections 71-1908 to 71-1923 and section 2 of this act shall be known and may be cited as the Child Care Licensing Act.

(2) The Legislature finds that there is a present and growing need for quality child care programs and facilities. There is a need to establish and maintain licensure of persons providing such programs to ensure that such persons are competent and are using safe and adequate facilities. The Legislature further finds and declares that the development and supervision of programs are a matter of statewide concern and should be dealt with uniformly on the state and local levels. There is a need for cooperation among the various state and local agencies which impose standards on licensees, and there should be one agency which coordinates the enforcement of such standards and informs the Legislature about cooperation among the various agencies.

Sec. 2. An applicant for a license under the Child Care Licensing Act shall provide to the department written proof of liability insurance coverage of at least one hundred thousand dollars per occurrence prior to issuance of the license. A licensee subject to the Child Care Licensing Act on the operative date of this act shall obtain such liability insurance coverage and provide written proof to the department within thirty days after the operative date of this act. Failure by a licensee to maintain the required level of liability insurance coverage shall be deemed noncompliance with the Child Care Licensing Act. If the licensee is the State of Nebraska or a political subdivision, the licensee may utilize a risk retention group or a risk management pool for purposes of providing such liability insurance coverage or may self-insure all or part of such coverage.

Sec. 3. This act becomes operative on July 1, 2014.

Sec. 4. Original section 71-1908, Reissue Revised Statutes of Nebraska, is repealed.